

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY ROBERT KNOTT;
KAYLA MARIE SCHUTZ;
DEMIAN HEBERT;
OLIVER LOUIS DYLLA;
JAMES WARREN GARNER; and
ROBERT BLAIRE GJEVRE,

Defendants.

Case No. 3:22-cr-10

**MOTION TO DISMISS CERTAIN
ASSETS IDENTIFIED FOR
FORFEITURE AND TO AMEND
JUDGMENTS ACCORDINGLY**

The United States of America, by Mac Schneider, United States Attorney for the District of North Dakota, and Matthew D. Greenley, Assistant United States Attorney, hereby move the Court to dismiss certain assets from Forfeiture Allegation One in these proceedings for the following reasons:

1. In Forfeiture Allegation One in the Indictments filed in this case (Docs. 5, 134, 226), forfeiture was attributed to the following twelve Defendants:

- Macalla Lee Knott
- Jeffrey Robert Knott
- David Robert Nowlan
- Tiffany Nina Keomany
- Kayla Marie Schutz (Docs. 5, 134)
- Tyler Neil Pelzer
- Demian Hebert
- Oliver Louis Dylla
- Deanna Marie Gerads
- James Warren Garner
- Robert Blair Gjevre
- Brady Robert Luduscher

2. The property identified as \$1,785 has never been recovered or seized by Federal authorities.

3. The property identified as \$10,000,000 was never seized by Federal authorities, nor will the United States seek a \$10,000,000 money judgment in this case.

4. Six of the twelve Defendants identified in Forfeiture Allegation One have been sentenced and forfeiture of these two items of property improperly appears in their criminal judgments:

Defendant	Asset(s)	Judgment Date	Doc. #
Jeffrey Robert Knott	<u>Forfeiture Allegation One</u> \$1,785 in US currency \$10,000,000 in US currency	4/17/24	542 p. 7
Kayla Marie Schutz ¹		6/6/23	356 p. 7
Demian Hebert		8/18/23	428 p. 7
Oliver Louis Dylla		8/7/23	397 p. 7
James Warren Garner		8/14/23	424 p. 7
Robert Blaire Gjevre		6/24/24	571 p. 7

5. Any reference to forfeiture in pending and filed plea agreements for the remaining Defendants as to these two assets is moot².

Therefore, the United States respectfully requests that this Court enter an Order dismissing certain assets from these proceedings, and amend the above-referenced Judgments in a Criminal Case, accordingly.

Dated: September 11, 2024.

MAC SCHNEIDER
United States Attorney

By: /s/ Matthew D. Greenley
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¹ Schutz' was listed in Forfeiture Allegation One in previous Indictments (Docs. 5, 134) but not the Third Superseding Indictment.

² On November 15, 2024, the United States will seek a Preliminary Order of Forfeiture at Brady Robert Luduscher's plea hearing for \$21,128 in US currency.